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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91226182
Party	Defendant HomeBuzz Inc.
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Date	04/13/2016
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No.: 86/645,967
Mark: HOMEBUZZ
Filed on: October 7, 2015
Published in the Official Gazette on October 23, 2012

DISTRICT HOME BUZZ LLC, Opposer, vs. HOMEBUZZ, INC. Applicant.	Opposition No. 91226182 <u>ANSWER TO NOTICE OF OPPOSITION</u>
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Applicant, HomeBuzz, Inc., (“Applicant” or “HomeBuzz”) hereby replies to the numbered grounds for opposition set forth by Opposer DISTRICT HOME BUZZ LLC, (DC HOMEBUZZ) in the Notice of Opposition to Registration of the Mark, HOMEBUZZ, Serial No.: 86/645,967 as follows:

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 and therefore denies those allegations.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 and therefore denies those allegations.
3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 and therefore denies those allegations.
4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 and therefore denies those allegations.
5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 and therefore denies those allegations.
6. Admitted.

7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 and therefore denies those allegations.

8. Denied.

9. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 and therefore denies those allegations.

10. Admitted.

COUNT-1 LIKELIHOOD OF CONFUSION

11. Applicant hereby incorporates the responses contained in Paragraph Nos. 1-10 by reference herein.

12. Applicant makes no answer to the allegation in paragraph 12 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 and therefore denies those allegations.

13. Applicant makes no answer to the allegation in paragraph 13 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13 and therefore denies those allegations.

14. Applicant makes no answer to the allegation in paragraph 14 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 and therefore denies those allegations.

15. Applicant makes no answer to the allegation in paragraph 15 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15 and therefore denies those allegations.

16. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16 and therefore denies those allegations.

17. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17 and therefore denies those allegations.

18. The term “real estate industry” is overbroad and vague. On this basis, Applicant therefore denies the allegations contained in paragraph 18.

19. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19 and therefore denies those allegations.

20. Applicant makes no answer to the allegation in paragraph 20 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 20 and therefore denies those allegations.

21. Applicant makes no answer to the allegation in paragraph 21 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 21 and therefore denies those allegations.

22. Applicant makes no answer to the allegation in paragraph 22 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 22 and therefore denies those allegations.

23. Applicant makes no answer to the allegation in paragraph 23 to the extent those allegations state legal conclusions rather than facts. Further, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 23 and therefore denies those allegations.

AFFIRMATIVE DEFENSES

1. Opposer’s Notice of Opposition fails to state a claim upon which relief can be granted.

2. Applicant hereby gives notice that it may rely on any other defenses that may become available or appear proper during discovery, and hereby reserves its right to amend this

Answer to assert any such defenses.

Dated: April 13, 2016

Brownstein Hyatt Farber Schreck, LLP

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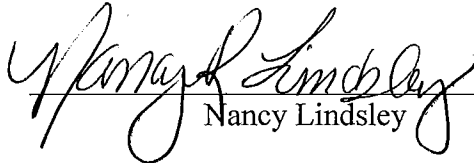
HomeBuzz, Inc.

CERTIFICATE OF SERVICE

I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and on this date the document entitled **Answer to Notice of Opposition**, is being served by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada, with a courtesy copy being transmitted by electronic mail, addressed to:

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Dated: April 13, 2016


Nancy Lindsley